



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,529	06/06/2001	Ming-Shing Su	148693.00381	5221

7590 11/03/2004

THOMAS T. MOGA, ESQ.  
DICKINSON WRIGHT PLLC  
1901 L STREET, N.W.,  
SUITE 800  
WASHINGTON,, DC 20036

EXAMINER

SINGH, RACHNA

ART UNIT PAPER NUMBER

2176

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/874,529

Applicant(s)

SU, MING-SHING

Examiner

Rachna Singh

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National-Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is responsive to communications: Application filed 6/6/01.
2. Claims 1-16 are pending. Claims 1, 9, and 13 are independent claims.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. The term "substantially" in claim 1, 9, and 13 is a relative term which renders the claim indefinite. The term "substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-5, 8-10, 12-14, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Burch et al., US 6,088,708, 7/11/00 (filed 1/31/97).

In reference to claim 1, 9, and 13, Burch teaches a system and method for creating an online table from a layout of objects. Compare to ***“a method of allowing a user to edit a table of a web page performed by a data processing system”***. See abstract. Burch teaches the following:

-Creating a table from a layout of objects on a page. The table is a HTML table that contains rows and columns of cells. Each cell in the table can contain content, preferably in the nature of HTML elements, such as the text of one of the objects on the page or an image. The table is an HTML layout that represents the same layout of objects on the page. A publishing program module that allows a user to create objects of text, graphics, or both. The publishing program module allows a user to specify the specific layout of these objects on a page. When creating an online version of the page is laid out, the publishing program creates groups of objects. The publishing program module generates an HTML table which can be used to display the page of objects on the WWW. The HTML table preserves the layout of objects in a what-you-see-is-what-you-get (WYSIWYG) fashion. Furthermore, the table can be used to create adornments such as drop shadows, borders, margins, etc. See column 6, lines 1-67.

Compare to ***“displaying said table and a plurality of display elements, said table having a plurality of cells;”***

-Allowing a user to enter commands through a keyboard or input device. The user can input information into the publishing program module that defines the table and populates each cell with the appropriate content so that the HTML table preserves the WYSIWYG appearance of the objects arranged in the layout of a page. A. See

Art Unit: 2176

columns 8, lines 33-50, columns 9-10, and column 14. Compare to A publishing program module that allows a user to create objects of text, graphics, or both. The publishing program module allows a user to specify the specific layout of these objects on a page. When creating an online version of the page is laid out, the publishing program creates groups of objects. The publishing program module generates an HTML table which can be used to display the page of objects on the WWW. The HTML table preserves the layout of objects in a what-you-see-is-what-you-get (WYSIWYG) fashion. Furthermore, the table can be used to create adornments such as drop shadows, borders, margins, etc. See column 6, lines 15-67. Compare to ***“receiving a first indication that said user wants to add at least one of said display elements to one of said cells of said table; adding a cell structure for said display element to a plurality of table structures, said table structures corresponding to said table on said display device”***. See also figure 5.

-Emitting HTML elements into an HTML stream in order to define the layout of cells and populate the cells with HTML elements representing objects. See column 27. The publishing program module is able to create a nested HTML layout table within a cell of a larger HTML layout table in order to represent text adornments associated with objects on the page. The HTML layout table preserves the layout of objects. See columns 27-28. Compare to ***“generating in response to said first indication to change a display of said table and a plurality of HTML codes that substantially reflect said table in accordance with said table structures”***.

In reference to claim 2, 10, and 14, Burch teaches allowing a user to enter commands through a keyboard or input device. The user can input information into the publishing program module that defines the table and populates each cell with the appropriate content so that the HTML table preserves the WYSIWYG appearance of the objects arranged in the layout of a page. A. See columns 8, lines 33-50, columns 9-10, and column 14. Compare to A publishing program module that allows a user to create objects of text, graphics, or both. The publishing program module allows a user to specify the specific layout of these objects on a page. When creating an online version of the page is laid out, the publishing program creates groups of objects. The publishing program module generates an HTML table which can be used to display the page of objects on the WWW. The HTML table preserves the layout of objects in a what-you-see-is-what-you-get (WYSIWYG) fashion. Furthermore, the table can be used to create adornments such as drop shadows, borders, margins, etc. See column 6, lines 15-67.

In reference to claim 3, Burch teaches providing text adornments to objects represented within a single cell of a table. A user may desire to have an adornment feature associated with an object such as a border, margin, or a drop shadow. Adornments could possible include color too. See column 24, lines 50-67 and column 25, lines 1-15.

In reference to claims 4 and 5, Burch teaches that the size of the cells and tables can be altered. See column 2, lines 28-37 in which Burch teaches that the layout (size and location) of cells define the presentation. See also figures 4-5.

In reference to claim 8, 12, and 16, Burch teaches that the display elements include text, image, and other objects. See column 1-2.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6, 11, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burch et al, US 6,088,708, 7/11/00 in view of Rawat et al, US 6,662,340 B2, 12/9/03 (filed 5/30/02, CIP filed in 4/8/00).

In reference to claim 6, 11, and 15, Burch teaches a system for creating an online table from a layout for HTML elements. He does not state creating a table and a plurality of XML codes. Rawat teaches using markup code such as XML for filling out an electronic form and populating the fields. Rawat illustrates that using XML code in creating an electronic form comprising fields was well known in the art at the time of the invention as XML was a markup language that allowed users to define tags and structural relationships between them. It would have been obvious to a person of ordinary skill in the art at the time of the invention to extend Burch's capabilities to generate XML code in addition to the HTML code used to create an online table since XML provided users with more flexibility in creating electronic documents by providing them with the ability to define the tags and structural relationships of an electronic document unlike HTML which only allows for fixed tags. Thus, generating XML code

Art Unit: 2176

from the system of creating an online table would enable a user to define the tags of the document and not be restricted to a set of fixed tags of HTML thus allowing for more flexibility in the creation of electronic documents and specifically allowing the user to define the features of the online table through customized tags that are not limited to HTML tags. See abstract and columns 9-10 of Rawat.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burch et al., US 6,088,708, 7/11/00 in view of Yee et al., US 6,380,956 B1, 4/30/02 (filed 6/12/98).

In reference to claim 7, Burch teaches that a user can enter commands and information through a keyboard or a pointing device such as a mouse. Inputting commands using a mouse encompasses drag and drop functionalities. See column 8, lines 32-49. Yee further illustrates that a drag and drop feature was a well known method in the art at the time of the invention for a user to input commands. See figure 3. It would have been obvious to a person of ordinary skill in the art to provide a drag and drop functionality as part of the user inputting means since it was well known in the art at the time of the invention to provide input means that are more interactive in a GUI environment. See column 1-2 of Yee.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Suzuki US 6,687,875 B1

Conner et al. US 6,718,515 B1



Rao et al. US 2002/0069221 A1

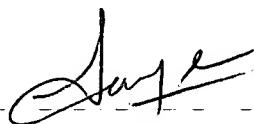
Chen et al. US 2002/0091733 A1

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RS  
10/26/04



SANJIV SHAH  
PRIMARY EXAMINER